

April 12, 2007

Ms. Desiree Desselle
Senior Field Representative
Washington Federation of State Employees
316 West Boone, Suite 353
Spokane, WA 99201

RE: Essie Crowder v. Employment Security Department
Allocation Review Request 06AL0087

Dear Ms. Desselle:

On November 14, 2006, I conducted a Director's review meeting by telephone conference call regarding the allocation of Essie Crowder's position. You, Ms. Crowder, and Russ Widders, Human Resource Consultant with the Employment Security Department (ESD), participated in the conference call.

Background

On April 21, 2006, Ms. Crowder submitted a Position Review Request (PRR) to ESD's Human Resources Department, requesting that her Worksource Specialist 2 position (#4162X) be reallocated to a Worksource Specialist 3. By letter dated April 25, 2006, Mr. Widders informed Ms. Crowder she was properly allocated to the Worksource Specialist 2 classification. In his determination, Mr. Widders noted that an increased workload of customers with disabilities, increased activity in the technology center, and increased referrals of clients were not considered allocating criteria. Further, he concluded the work Ms. Crowder performs meets the Worksource Specialist 2 distinguishing characteristics because she delivers direct core services to customers, conducts in-depth interviews, provides job referrals, placements services, and information regarding agency partner programs.

On May 12, 2006, the Department of Personnel received your letter on behalf of Ms. Crowder, requesting a Director's review of Mr. Widders' determination.

Summary of Ms. Crowder's Perspective

Ms. Crowder contends she performs work at a level higher than a Worksource Specialist (WSS) 2 because she works with a number of disabled clients and is considered the "go to" person for persons with disabilities in the Spokane Worksource Office. As a result, Ms. Crowder asserts she "wears many hats" in her job at the Worksource center. As an example, Ms. Crowder states she speaks American Sign Language (ASL) and when hearing impaired individuals come into the center, other employees seek her out for assistance. In addition to acting as an interpreter, Ms. Crowder states she acquaints clients with the proper equipment and technology needed to apply for jobs and create resumes, and she states she often assists people with disabilities including those who are legally blind, hearing impaired, or may use a wheelchair or walker.

Ms. Crowder states she also works with other agencies to give clients referrals so they can access special equipment from home. Ms. Crowder asserts the clients she serves often require in-depth services, which often mean long periods of assistance. Ms. Crowder contends the number of low functioning adults, disabled veterans, and those with other disabilities are increasingly using the resources at the center. Ms. Crowder further contends that at times the individuals, who are both disabled and unemployed, can be difficult to work with, and she states she often has to defuse angry customers. Ms. Crowder asserts the scope and complexity of the clients she serves require additional skills that go beyond a WSS 2 level. Consequently, Ms. Crowder asserts she has to provide intensive service to customers before she can go to the next step of providing core services. Therefore, Ms. Crowder believes her position should be reallocated to a WSS 3.

Summary of Employment Security Department's (ESD's) Reasoning

ESD contends Ms. Crowder meets the distinguishing characteristics of the WSS 2 classification because she delivers direct core services to clients. ESD, however, asserts she does not provide the level of intensive services required at the WSS 3 level. ESD contends Ms. Crowder's position has been assigned extensive core service, not intensive core service. ESD describes Ms. Crowder's role as providing job counseling related to skills such as creating a resume or preparing for an interview. Further, ESD states Ms. Crowder spends a majority of her time interviewing job applicants and making referrals, as well as providing clients with information and assisting and monitoring in the resource room. ESD contends Ms. Crowder's position has not been assigned intensive case management. ESD acknowledges that Ms. Crowder may need to spend more time with clients so they can get the core services they need but maintains her role is limited to assisting these clients and working with prospective employers to hire the clients she serves. While ESD values the work Ms. Crowder performs, ESD asserts the level of service she provides does not reach the intensive level required of a WSS 3. Therefore, ESD asserts Ms. Crowder's position is properly allocated to a WSS 2.

Director's Determination

This position review was based on the work performed for at least the six-month period prior to April 21, 2006, the date Ms. Crowder submitted her Position Review Request.

As the Director's designee, I carefully considered all of the documentation in the file, the exhibits presented during the Director's review meeting, and the verbal comments provided by both parties. Based on my review and analysis of Ms. Crowder's assigned duties and responsibilities, I conclude her position is properly allocated to the Worksource Specialist 2 classification.

Rationale for Determination

The definition of the Worksource Specialist (WSS) 2 classification states:

Performs professional duties in the delivery of direct core services to customers. Conducts in-depth interview and provide job referrals, placement services, and information regarding agency and partner programs.

The distinguishing characteristics at the WSS 2 level note this classification is the "fully qualified working level." Further, WSS 2 positions "work independently and provide a full range of services."

At the WSS 3 level, the definition is outlined as follows:

- 1) Delivers direct core & intensive services to WorkSource, Claimant Placement Program, Food Stamps, WorkFirst Post-Employment Labor Exchange, or College Co-Location customers; or
- 2) Is responsible for providing bilingual outreach services in a designated Migrant and Seasonal Farmworker (MSFW) service area; or
- 3) Is responsible for providing outreach services to eligible Disabled Outreach Veterans' (DVOP) program customers; or
- 4) As an Employer Outreach Specialist contacts local employers to develop prospective job openings and provide information on services available through WorkSource.

The distinguishing characteristics at the WSS 3 level indicate this position is the "fully qualified professional level." Further, positions work independently, and "spend a majority of time providing intensive services or conducting outreach activities." Additionally, WSS 3 positions may issue transportation vouchers or initiate supportive service vouchers but do not have the authority to obligate services or funds.

In reviewing Ms. Crowder's Position Review Request (PRR) (Exhibit P-3), her position's purpose can be summarized as follows:

Ms. Crowder provides direct labor exchange services (core services) for/to customers utilizing the services of the WorkSource Center in Spokane. Ms. Crowder's customers include veterans and persons with disabilities. Additionally, Ms. Crowder works with employers and job seekers to establish or refer job postings, community referrals, job preparation, job counseling, and assistance with the resources in the One Stop facility, which include assistive technology and computer resources.

In the PRR, Ms. Crowder describes 25% of her work time as spent handling the reception information desk, which includes providing initial triage services at the front reception and resource areas. In addition, Ms. Crowder identifies a total of 60% as relating to placement of individuals using the WorkSource Center, half of which (30%) she describes as Designated Disability Placement. Specifically, Ms. Crowder identifies the duties related to *Designated Disability Placement* as follows:

- Performs needs assessment & provides direct service and referral to customers with special needs (also teaming with Department of Vocational Rehabilitation) ;
- Identifies reasonable accommodations in order for customers to use the One Stop Center;
- Creates contacts with employers to develop prospective job openings;
- Assists customers and co-workers in the use of Assistive Technology Center to complete applications and resumes, including customers with limited reading and writing skills;
- Assist customers with disabilities with interview, scheduling, and employer/educational contacts;
- Coordinate with support agencies and employers;
- Use American Sign Language to assist hearing-impaired customers.

The other 30% described as *Placement* includes the following descriptions of duties:

- Provide direct labor exchange services (core) for/to customers in touch with WorkSource Spokane, including veterans;
- Provide triage service and facilitates self service;
- Calls applicants from Placement Log;
- Briefly interview job applicants to determine occupational qualifications; screen applicants for job openings and refer to appropriate services; inform applicants of available services; refer applicants and employers to other WorkSource services;
- Receive job orders from call-in/fax from employers and answer the placement telephone line; enter job orders into computer system; contact employers to verify status of job orders;
- Provide labor market information to employers and job seekers;

- Assist WorkFirst applicants, matching job referrals to applicant needs;
- Coordinate with various community-based organizations to provide and serve applicants with disabilities;
- Assist applicants with major barriers, such as criminal background;
- Provide Rapid Response services by visiting employers who are initiating layoffs to provide information regarding WorkSource services to affected workers.

While Ms. Crowder's supervisor, Placement Supervisor Daniel Lambert, noted the information Ms. Crowder provided on the PRR was accurate and complete (Exhibit P-3, page 11), he clarified that her counseling role is surface and "core in nature with no continuing case management." He further clarified that "job training counseling" simply means information and referral to various job training programs. As far as Ms. Crowder's role with Rapid Response, Mr. Lambert stated that she accompanied her supervisor to a session so she could present on her own. He also wrote, "the primary role for the Disability Placement designee is to assist individuals of disability in successfully understanding, accessing, and utilizing WorkSource core services."

Additionally, Mr. Lambert attached a document for further clarification of Ms. Crowder's PRR (Exhibit P-3 attachment) in which he wrote, in part:

"Intensive service" is more intensive time spent with customers as a result of their disability, but it does not fit the classic agency definition of Intensive Services. It is simply extensive core services. "Job prep counseling" is initial core service information & advice, and not true counseling defined by the agency."

In his attachment, Mr. Lambert also described Ms. Crowder's job counseling duties, as written on her PRR, as "resume assistance, review of the services & workshops available in the center, how to do interviews and provide labor market information." In addition, Mr. Lambert indicated Ms. Crowder does perform daily duties in generally overseeing and maintaining the Assistive Center and works as a technician for customers and staff regarding the operation of equipment. He also confirmed that Ms. Crowder's communication with hearing-impaired customers using American Sign Language "has been on a sporadic, volunteer basis to the benefit of various units (to provide Core information & access to those units/programs)."

When analyzing Ms. Crowder's description of her duties along with her supervisor's clarifications, the majority of her work focuses on providing core WorkSource services that include interviewing/assessing job applicants to appropriately match the applicants with prospective employers based on the job orders received. Ms. Crowder also provides labor market information to employers and job seekers and assists customers in the resource center with the use of technology and access to programs, as well as reviewing resumes and applications. These duties are consistent with the definition and distinguishing characteristics of the WSS 2 class, which describe the professional duties

as delivering core services to include in-depth interviews, job referrals, and placement services, while working independently at a fully qualified level to provide a full range of services.

In order to meet the definition and distinguishing characteristics of the WSS 3 class, an incumbent must meet one of the four criteria. While Ms. Crowder delivers core services to WorkSource customers and deals with Designated Disability Placement (30%), the majority of her duties relate to delivering the core services of conducting in-depth interviews, assisting applicants with resumes and applications and assisting in the technology center, not providing intensive services or conducting outreach activities, which are distinguishing characteristics of the WSS 3 class. Rather than provide intense counseling or act as an outreach specialist, the services Ms. Crowder provides to clients, including disabled individuals and veterans with disabilities, help them successfully understand, access, and use the core services available at the WorkSource Center. Therefore, the Worksource Specialist 2 classification best describes Ms. Crowder's position # 4162X.

Appeal Rights

WAC 357-49-018 provides that either party may appeal the results of the Director's review to the Personnel Resources Board (board) by filing written exceptions to the Director's determination in accordance with Chapter 357-52 WAC.

WAC 357-52-015 states that an appeal must be received in writing at the office of the board within thirty (30) calendar days after service of the Director's determination. The address for the Personnel Resources Board is 2828 Capitol Blvd., P.O. Box 40911, Olympia, Washington, 98504-0911.

If no further action is taken, the Director's determination becomes final.

Sincerely,

Teresa Parsons
Director's Review Supervisor
Legal Affairs Division

c: Essie Crowder
Russ Widders, ESD
Lisa Skriletz, DOP

Enclosure: List of Exhibits